

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARISOL BARQUERO LESTINGI,

Plaintiff,

-v-

THE NEW YORK AND PRESBYTERIAN HOSPITAL,
TESSA JEAN, individually, and MARC GREENBAUM,
individually,

Defendants.

20 Civ. 8800 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

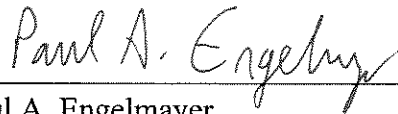
The Court has received defendants' letter motion to compel discovery, to re-set discovery deadlines, and for attorneys' fees. Dkt. 21. Defendants represent, with documentary support, that plaintiff has not responded to defendants' interrogatories and requests for production of documents. *Id.* at 1–2; *see also id.* Ex. C. Plaintiff have failed to respond to that motion.

The Court grants defendants' letter motion to the extent it seeks to compel discovery. Under the case management plan, service of interrogatories and initial requests for production were due on July 16, 2021, Dkt. 16 ¶ 6, and defendants represent that such interrogatories and requests for production of documents were served by that date. Dkt. 21 at 1; *see also id.* Exs. A, B. The deadline to respond or object to those interrogatories and initial requests was therefore August 16, 2021, more than six weeks ago. The Court accordingly orders that plaintiffs respond to defendants' interrogatories in full by **Friday, October 1, 2021**, and produce the documents responsive to this request by **Monday, October 4, 2021**. These deadlines will not be extended, and failure to comply with them will subject plaintiff to a potential dismissal without prejudice for failure to prosecute and failure to comply with the governing court orders.

The Court further grants defendants' request to extend the ensuing discovery deadlines set forth in the case management plan. *See* Dkt. 16. Depositions must now be completed by November 16, 2021; requests to admit must be served by November 24, 2021; fact discovery must be completed by December 15, 2021; and expert discovery must be completed by January 26, 2022.

The Court denies, without prejudice, defendants' request for attorneys' fees to cover the fees and expenses incurred in making this motion. Defendants are at liberty to renew this motion in the event, *inter alia*, that plaintiff disregards the deadlines set forth herein.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: September 28, 2021
New York, New York